

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

William Eldredge,

Court File No: 09-2018 (SRN/JSM)

Plaintiff,

v.

City of Saint Paul and
Saint Paul Department of Fire and Safety Services,

Defendants.

ORDER ON PLAINTIFF'S MOTION TO SEQUESTER WITNESSES

The above-entitled matter came on for hearing before the Honorable Susan Richard Nelson on September 16, 2011 on Plaintiff's Motion to Sequester Witnesses [Doc. No. 227].

Federal Rule of Evidence 615 provides that "At the request of a party the court shall order witnesses excluded so that they cannot hear the testimony of other witnesses, and it may make the order of its own motion."¹ Although the district court is granted wide latitude in implementing sequestration orders, "[s]equestration of most witnesses is mandatory when requested." United States v. Collins, 340 F.3d 672, 681 (8th Cir. 2003).

¹ Rule 615 identifies certain categories of witnesses to whom sequestration shall not apply, including: (1) a party who is a natural person; (2) an officer or employee of a party which is not a natural person designated as its representative by its attorney; (3) a person whose presence is shown to be essential by a party; or (4) a person authorized by statute to be present. Fed. R. Evid. 615.

The purpose of sequestration is to “prevent witnesses from tailoring their testimony to that of prior witnesses and to aid in detection of dishonesty.” Id. (citations omitted).

Based on all the files, records and proceedings herein, including the arguments of counsel, IT IS HEREBY ORDERED:

1. Plaintiff’s Motion to Sequester Witnesses [Doc. No. 227] is **GRANTED**.
2. Witnesses, other than those whose exclusion is not authorized in Fed. R.

Evid. 615, will be excluded from the courtroom, except when called to testify, and will be directed to refrain from discussing testimony they have given, or anything they have learned about the trial, with other witnesses who are set to testify.

Dated: Sept. 16, 2011

BY THE COURT:

s/Susan Richard Nelson
Judge Susan Richard Nelson
District Court Judge